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October 23, 2020

**VIA ECF & E-MAIL**

United States District Court  
Southern District of New York  
Attn: Hon. Andrew L. Carter, U.S.D.J.  
40 Foley Square, Courtroom 1306  
New York, NY 10007-1312  
alcarternysdchambers@nysd.courts.gov

**Re: Pagan v. C.I. Lobster Corp., *et al.***  
**Case No: 1:20-cv-7349 (ALC) (SDA)**

Dear Judge Carter:

This office represents the Defendants in the above-referenced case. See Docket Entry 12. Defendants write pursuant to ¶ 1(D) of this Court's Individual Practices to respectfully request an extension of time to November 20, 2020 to respond to the complaint in this case.

The original date a response to the complaint was due was October 21, 2020. There have been no previous requests for an extension of Defendants' deadline to respond to the complaint, and the adversary consents to this request. Defendants are unaware of any other scheduled dates affected by the requested extension.

Defendants make this request in order to conduct an investigation into the allegations made in the complaint. Though your undersigned usually seeks to explore resolution early in such cases, Plaintiff has indicated that he is unwilling to engage in any such discussions on the grounds that he seeks a class action in this case. Defendants respectfully submit that this is both unfortunate and violative of Rule 1 of the Federal Rules of Civil Procedure, and request that this case be referred to mandatory mediation.

Defendants thank this honorable Court for its time and attention to this case.

Dated: Lake Success, New York  
October 23, 2020

Respectfully submitted,

**MILMAN LABUDA LAW GROUP PLLC**

/s/ Emanuel Kataev, Esq.

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**VIA ECF**

United States District Court  
Southern District of New York  
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